

NEW HAMPSHIRE STATE BUILDING CODE REVIEW BOARD

Minutes of Meeting

November 14, 2003

Attendance:

Robert Clegg, Chairman, Department of Safety
Tyler Carlisle, Board of Engineers, licensed electrical engineer
Jerry Tepe, Board of Architects, licensed architect
Tedd Evans, Board for licensing and regulation of plumbers, licensed master plumber
John Tuttle, NH Home Builders Association, Architectural designer – residential
Medard Kopczynski, NH Municipal Association
Michael Santa, CBO, Governor's Commission on Disability, Architectural barrier/free design
Kenneth Andrews, NH Building Officials Association, municipal building official
Bob Longchamps, NH Electrical Contractors Business Association, licensed master electrician
Wes Golomb, State energy conservation code office
George Maihos, NH Electricians Board, licenses master electrician

Absent:

Vacant Position, NH Association of Fire Chiefs, municipal fire chief

Joel Fisher, Board of Engineers, licensed structural engineer
Bruce Phillips, NH Association of Fire Chiefs, municipal volunteer fire chief
James Petersen, PE, Board of Engineers, licensed mechanical engineer
Fred Baybutt, Associated General Contractors, building contractor – non-residential buildings
Rick Swain, NH Plumbing & Mechanical Contractors Assoc., mechanical contractor, business

Guests:

Marta Modigliani, Attorney, Department of Safety, Office of the Commissioner
Ken Burgess, NH Manufactured Housing Association
Mindy Dupre, Bianco Professional Association
Jim Bianco, Bianco Professional Association

With a quorum of the Board present, Chairman Clegg so declared and called the meeting to order at 10:05. Notice of the meeting was posted at the Department of Safety and State House, the State Fire Academy, the New Hampshire Rule Making Register and the Legislative Office Building a minimum of 2 weeks prior to scheduled meeting date.

Chairman Clegg welcomed George Maihos to the Board to represent the NH Electrician's Board as a licensed master electrician.

BOARD MEETING

Adoption of Minutes of October 10, 2003:

Motion was made by _____ to accept the minutes as marked AMENDED on the top as printed and placed on file. Motion was duly **seconded** by Ken Andrews. Chairman Clegg asked for a vote. Vote was affirmative. And so declared accepted.

OLD BUSINESS:

Q&A additions to the web-site:

Med Kopczynski questioned the sentence structure, where it states that is a conflict between the State Building Code and any other state code, i.e., the Fire Code, which one prevails. And the answer says the State Fire Code in a conflict, otherwise the **more stringent** applies. But I do not know if that is actually true. Tedd Evans reported that he consulted with Jerry Tepe on this. Jerry Tepe said when we got the opinion from the attorney general's office a few meetings ago. And if he misunderstood, he apologizes. Chairman Clegg said that if there is a problem between the State Code and the Fire Code, the law is explicit that the Fire Code take precedence. But we probably should add in that answer that if you disagree with the Fire Code, you have the right to bring it to this Body. Evvy will make the changes and send them to IT for posting onto the website.

NEW BUSINESS:

Boards role in rule making for IRC and Fire Code:

Regarding the Commissioner seeking legislation that allows control to be maintained at Safety over modular housing and manufactured housing industry. Chairman Clegg reported that the Joint Legislative Rules Committee has said that they are not going to accept any changes to any of the Codes, regardless of where they are, without at least getting this Boards take on it, allowing the Board to discuss it. One and two family homes, we do not have any jurisdiction. Any Rule that is presented will be presented to this Body as a courtesy.

Mindy Dupre – Manufactured Housing Standards:

Because of a Federal Requirement, Chairman Clegg has put out on the web and asked questions about manufactured housing, the license installers are going to be licensed by the Federal Government, rather than the State. He is also working with Congressional delegation to get rid of the requirement that the Federal Government can step into NH and decide who to license and who not to. Handouts were given to all Board members. Mr. Jim Bianco and Mindy Dupre went over the handouts. Mike Santa stated that he was unaware of any local instructions. Med Kopczynski reported that the manufacturers instructions are lacking in detail and specifications. Ken Andrews asked if there was a copulation to start from or will it be starting from ground zero developing after this piece of legislation. Mindy stated that there is a lot of information out there and would not be starting off at ground zero. Initial concerns were made by Board members. Members of this Board will be able to view and comment on the pre-draft. It would not become a local regulation. It would be mandatory upon the installer. The draft will be sent electronically to Chairman Clegg, and he in turn, will distribute to the Board members for input and comments.

Letter from David M. White, Architect – submitted by Chairman Clegg for discussion.

Jerry Tepe reported that this is a potentially big issue and may have to be acted on relatively soon. If we are going to adopt an amendment, then a Public Hearing would be required. Ken Andrews wanted point of clarification – the one for Public Hearing will be the email from Jerry Tepe – 506.1, 506.2, and 506.3 have already been adopted as amendments, 506.4 is the one being voted on at the Public Hearing. Jerry will send all Board members of the table. Chairman Clegg directed that a Public Hearing be held next month during the Board's meeting. Marta will make necessary notifications.

OTHER BUSINESS:

There being no other business, Chairman Clegg asked for a **Motion** to adjourn. **Motion** was so moved and vote was unanimous.

Reminder: The State Building Code meets every second Friday of each month (barring any holidays) and meets at the Department of Safety – 1st floor conference room. Next meeting dates are:

December 12, January 9, February 13 and March 12